REMARKS

The Final Office Action, mailed December 29, 2005 considered and rejected claims 1-48.[1] Claims 9 and 24 were also objected to for minor informalities, which have been corrected by amendment.

By this paper, claims 1, 9, 10, 11, 24, 25 and 38 have been amended,[2] such that claims 1, 2, 4-13, 15-30, and 38-48 remain pending of which claims 1, 10, 11, 25, and 38 are the only independent claims.

As mentioned in the last response, the present application is directed to reducing network traffic by aggregating redundant streaming and real-time media requests by removing redundant requests. For example, claim 1 recites a method for providing streaming media from a wide area network to a plurality of receivers. The method includes receiving at at least one aggregation module a request for real-time streaming media accessible via a wide area network from each of a plurality of receivers. Each request includes an identifier representative of the receiver making the request. The method further includes using the at least one aggregation module, removing redundant requests and requesting a single copy of the real-time streaming media from the wide area network. The single copy of the real-time streaming media is buffered at the at least one

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[1] Claims 1, 2, 4, 6, 10, 11, 21, 25, 27, 38 and 39 were rejected under 35 U.S.C. 102(e) as being anticipated by Bommaiah et al. (U.S. Patent No. 6,708,213) Claims 5, 7, 15-17, 20, 29, 30 and 48 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al in view of Kuhn (U.S. Patent Publication No. 2002/0157112). Claims 8, 9 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al in view of Durana et al (U.S. Patent No. 6,018,765). Claims 12-13 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al. Claims 18 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah in view of Kuhn as applied to claim 15 above, and further in view of Durana. Claims 22-24, 40 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al in view of McClain et al. (U.S. Patent No. 6,722,214). Claim 42 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al. in view of McClain as applied to claim 40 above, and further in view of Kuhn. Claims 43-45 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah et al. in view of Brown (U.S. Patent No. 5,771,435). Claims 46 and 47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bommaiah in view of Brown as applied to claim 43 above, and further in view of Durana. Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] Support for the amendments is found throughout the specification, including pages 5, 12,18, 19, 21, and 24.

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aggregation module. Using the buffered single copy of the real-time streaming media, the streaming media is delivered to the plurality of receivers.

Claim 10 claims a computer program product including computer readable medium with instructions for performing the acts of claim 1. Claim 11 is similar to claim 1 but varies in scope in at least elements related to aggregation modules, the type of media streamed, and the method for delivering data to receivers. Claim 11 nonetheless recites: "removing redundant requests and requesting a single copy of the streaming media from the network through a proxy module in communication with the aggregation module...." Claim 25 is a computer program product claim with similar scope to the other claims recited herein. Claim 25, however, recites elements in functional means language as outlined in the specification. Claim 25 recites at least "program code means for removing redundant requests and requesting a single copy of the streaming media from a network accessible to the proxy module...." Claim 38 is directed to a system for implementing one embodiment of the invention, and includes at least an access module communicating with the plurality of receivers and the source module, the access module being configured to receive the request for media, aggregate requests by removing redundant requests, and deliver the requested media in a format selected by the access module based upon changes to the first connection rate as media is delivered to two or more of the plurality of receivers

In the last response it was explained how the art of record and, the primary reference in particular (*Bommaiah*), fail to teach each and every limitation now recited by the claims. For example, each of the claims refers to the aggregation modules functionality of removing redundant requests and requesting a copy of streaming media. In other words, the aggregation module receives redundant requests when clients request the same media. The aggregation module removes redundant requests and then downloads the requested media. In direct contrast to what is claimed, *Bommaiah*, for example, teaches a system where similar requests are

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"anticipated" (col. 5, line 64) by a helper server. In other words, *Bommaiah* receives only a single request from one client before downloading content. The system of *Bommaiah* uses a ring buffer to store the downloaded content in anticipation of subsequent requests and so long as a subsequent client request is received before the ring buffer is overwritten, the helper server can deliver the requested content. See *Bommaiah* col. 5, line 42-col. 10 line 5, with particular attention to col. 5, lines 55-65 and col. 6, lines 59-67. Thus, while the claims of the present invention recite removing redundant requests, *Bommaiah* illustrates delivering content when the content is cached at the helper server. The remaining art cited also fails to compensate for the deficiencies of *Bommaiah* in this regard.[3]

In the last action, the Examiner indicated that the foregoing remarks need not be addressed inasmuch as the claims did not require such an interpretation that would require that the single copy of the requested media be downloaded subsequently to the act of removing the redundant requests. Although Applicants do not necessarily agree with this, the claims have nonetheless been amended to more specifically recite the limitations that were previously inherent within the claims, and such that the claims will be interpreted more consistently with the remarks provided.

The amendments to the claims are also consistent with the suggested amendments proposed by the Examiner. And while Applicants acknowledge that the Examiner has reserved the right to make other arguments based on the *Bommaiah* reference, the Examiner has also indicated that the suggested amendments (regarding sequence), which have been made by this

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[3] *Durana* is cited for showing a system that uses multiple used and unused channels, a cable, television or satellite system, and a remote control. *McClain* is cited for showing rating codes associated with web pages and proxy modules. *Ullman* is cited for showing digital, analog, and textual formats. *Kuhn* was cited for the general proposition that a system can transcode multimedia into various formats. These references alone and in combination fail to teach or suggest removing redundant requests and requesting a copy of streaming media, in combination with the other recited claim elements.
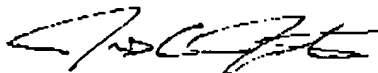
paper, would appear to overcome the present rejections as argued. Accordingly, Applicants respectfully submit that all of the pending claims are now in condition for prompt allowance.

Furthermore, although the foregoing remarks have been focused primarily on the independent claims, it will be appreciated that all of the rejections and assertions of record with respect to the independent claims, as well as the dependent claims, are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicant does not necessarily acquiesce to any assertions in the previous Office Action that are not specifically addressed above, and hereby reserves the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 31 day of January, 2006.

Respectfully submitted,

RICK D. NYDEGERR
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
J. LAVAR OLDHAM
Registration No. 53,409
Attorneys for Applicant
Customer No. 47973

RDN:JCJ:ppa
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